

REMARKS

The written description rejection of under 35 U.S.C. §112, first paragraph

The examiner rejected claims 44 and 90 through 115 under 35 U.S.C. 112, first paragraph, asserting that the subject matter of the claims lack written descriptive support in the specification. The applicants submit that the amendment to the claims made herein obviates the rejection.

The first enablement rejection of under 35 U.S.C. §112, first paragraph

The examiner rejected claims 44 and 80 through 115 under 35 U.S.C. §112, first paragraph, for reciting subject assertedly not enabled in the specification. Because the amended claims recite use of thiomolybdate compounds, and the examiner admits that these compounds are enabled in the specification, this ground for the rejection is obviated.

The claims are further amended to recite treatment of a specific condition with the thiomolybdate compounds via oral administration at a recited dose. The limitations added into claim 44 find support in originally filed claims, and the applicants note that the examiner has not set forth a written description rejection for these specific claims. In order to support enablement of the subject mater of the amended claim, the applicants submit herewith a declaration made by Andrew Mazar under 37 C.F.R. §1.132 which describes data in a mouse model that supports treatment of choroidal neovascularization, data in a mouse model that supports inhibition of angiogenesis, and evidence in the form of scientific review article(s) showing that all ocular neovascularization, e.g., retinal and choroidal neovascularization, involve angiogenesis.

Accordingly, the applicants submit that in view of the amendments and evidence provided herein, the rejection for asserted lack of enablement may properly be withdrawn.

The second enablement rejection of under 35 U.S.C. §112, first paragraph

Claims 116 through 122 were also rejected under 35 U.S.C. 112, first paragraph, for being directed to subject matter assertedly lacking enablement in the specification.

Cancellation of these claims obviates the rejection.

The art rejections under 35 U.S.C. §§102 and 103

Claims 116, 117, and 120 under 35 U.S.C. §102(a) as being directed to subject matter assertedly anticipated by the disclosure of Merajver as set forth in the previous office action. Claim 119 was rejected under 35 U.S.C. §103(a) for being directed to subject matter assertedly rendered obvious by the disclosure of Merajver, also for reasons set out in the previous office action. Cancellation of each of these claims, however, obviates both rejections.

The double patenting rejection

The applicants acknowledge the obviousness type double patenting rejection and will address this rejection upon notification of otherwise allowable subject matter in the present application.

CONCLUSION

In view of the amendments and remarks made herein, the applicants believe that all claims are now in condition for allowance and respectfully request notification of the same.

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Respectfully submitted,

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